Title	Application and Order for Reissuance of Order to Show Cause and Temporary Restraining Order (approve Form 982(a)(30))
Summary	A new form would be approved for persons to use to apply for the reissuance of an order to show cause and temporary restraining order.
Source	Civil and Small Claims Advisory Committee
Staff	Patrick O'Donnell, Committee Counsel, 415-865-7665
Discussion	Code of Civil Procedure section 527(d)(5) authorizes the court to reissue any temporary restraining order previously issued upon the filing of an affidavit by the applicant that the opposing party could not be served within the time required under the statute. The Judicial Council has adopted forms for the reissuance of temporary restraining orders for particular types of cases. (See, e.g., <i>Application and Order for Reissuance of Order to Show Cause (Elder or Dependent Adult Abuse)</i> (Form EA-125).) However, there is no general form for applying for the reissuance of an order to show cause and temporary restraining order. The proposed new form would assist litigants generally in applying for the reissuance of a temporary restraining order. This form would be especially helpful for self-represented individuals. The courts would probably also find it easier to review and decide on applications presented in the standardized format used in this form.

Attachment

982(a)(30)

	302(a)(30)
NAME OF PARTY OR ATTORNEY (and state bar number if attorney):	FOR COURT USE ONLY
ADDRESS WHERE YOU WANT MAIL SENT:	
_	
TELEPHONE NO. (Optional): FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):	
ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	7
STREET ADDRESS:	DRAFT-6
MAILING ADDRESS:	
CITY AND ZIP CODE:	
BRANCH NAME:	
	-
PLAINTIFF/PETITIONER:	
DEFENDANT/RESPONDENT:	
APPLICATION AND ORDER FOR REISSUANCE OF ORDER TO	CASE NUMBER:
SHOW CAUSE AND TEMPORARY RESTRAINING ORDER	
1. Plaintiff Petitioner (name):	
requests the court to reissue the Order to Show Cause and Temporary Restraining	g Order ("Order to Show Cause") originally
issued as follows:	
a. Order to Show Cause was issued on (date):	
b. Order to Show Cause was last set for hearing on (date):	
c. Order to Show Cause has been reissued previously (number of times):	
2. Plaintiff Petitioner requests reissuance of the Order because	
a. Defendant Respondent was unable to be served as requ	ired before the hearing date
	med before the hearing date.
b. Uther (specify):	
I declare under penalty of perjury under the laws of the State of California that the foregoing	a is true and correct
	g is true and correct.
Date:	
(TVDE OR PRINT NAME)	(OLONATURE OF REGUADANT)
(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)
ORDER	
 IT IS ORDERED that the Order to Show Cause issued as shown in item 1 above is reissue 	ed and reset for hearing in this court as follows:
a. Date: Time: Dept.:	Room:
at the street address of the court shown above.	
b. By the close of business on the date of this order, a copy of this order and an	y proof of service must be given to the law
enforcement agencies named in the Order to Show Cause as follows:	y proof of dervice must be given to the law
<u> </u>	
(1) Plaintiff Petitioner must deliver.	
(2) Plaintiff's Petitioner's attorney must deliver.	
(3) The clerk of the court must deliver.	
	directed in the Order to Chaus Course and
c. A copy of this order must be attached to documents to be served on defendant, as a	directed in the <i>Order to Snow Cause</i> , and
must be served on defendant with the Order to Show Cause.	
d. All other orders contained in the <i>Order to Show Cause</i> remain in full force and effect	
TO SHOW CAUSE AND THIS ORDER EXPIRE ON THE DATE AND TIME OF THE	HE HEARING SHOWN IN THE BOX ABOVE
UNLESS EXTENDED BY THE COURT.	
Date:	
	JUDICIAL OFFICER
CLERK'S CERTIFICATE OF MAILING	
I certify that I am not a party to this cause and that a copy of the foregoing was mailed first	
addressed as shown in the <i>Order to Show Cause</i> and that the foregoing was mailed and th	class, postage prepaid, in a sealed envelope
audiesseu as shown in the <i>Order to show Gause</i> and mai me ioredoind was mailed and m	
(place): on (date): Clerk, by	* * * * *